

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Social Welfare – Land Acquisition – Nalgonda District – Thungartuthy (M) – Vempaty (V), - Acquisition of land to an extent of Ac. 5.50 Cts in Sy. No. 656- for providing house sites to the weaker section's people – Sanction of Rs 4,79,889/- - towards balance decretal charges, as per the orders of the Hon'ble High Court dated 04.3.2009 in WPMP No,5716/2009 in WP No.4357/2009 in AS No.2515/2001 in O.P.No. 55/1997 – Orders – Issued.

SOCIAL WELFARE (LA.2) DEPARTMENT

G.O. Rt. No. 213

Dated: 03.03.2010.

Read the following:

1. From the District Collector Nalgonda Lr.Rc.No.G/1068/91, dated 12.01.2007.
2. From the Commissioner of Social Welfare, AP., Hyderabad Lr.No. LA2/1079/2007, 22.5.2009 and dt.18/02/2010.
3. From the District Collector Nalgonda Lr.Rc.No.G/1470/93, dated 11.02.2010 and 19.02.2010.
4. From the Spl.CS & CCLA, AP, Hyderabad, Lr. No. G3/308/2010, Dated.24/02/2010.

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ORDER:-

In the reference 4th read above, the Special Chief Secretary to Government and Chief Commissioner of Land Administration, AP, Hyderabad has stated that the LAO/RDO Suryapet has acquired land to an extent of Ac.5.50 Cts in Sy.No.656 situated at Vempati(V), Thungaturthy (M) Nalgonda District for providing house sites to weaker section people vide procs.No.C/1288/97 dated:18-06-1997. The Revenue Divisional Officer/LAO, Suryapet has passed Award while fixing the market value @Rs.13,000/- per acre. But on reference, made to Sr.Civil Court Suryapet U/s 18 of L.A Act, the Sr.Civil Court, Suryapet, has enhanced compensation from Rs. 13,000/- to Rs 25,000/- per acre vide order dated 21.07.2001 in OP.No,55/97. Aggrieved by the orders of the Sr.Civil Court, Suryapet, the Revenue Divisional Officer/LAO., Suryapet has filed an appeal before the Hon'ble High Court of Andhra Pradesh. The Hon'ble High Court of Andhra Pradesh, Hyderabad has granted interim stay orders dated 7/6/2002 in CMP NO.8210/2002 on condition to deposit half of the decretal amount. Accordingly, an amount of Rs.72,982/- was deposited to comply with the interim orders. The Hon'ble High Court has delivered common final orders duly enhancing land value from Rs.25,000/- to Rs. 50,000/- vide orders dated 11-09-2006 in A.S.No.710/02 and 2515/01. The Govt. Pleader(LA) for Appeals has opined that it is not a fit case to prefer further appeal. It is further stated that the Hon'ble High Court dismissed the appeal in A.S.No.710/02 filed by the LAO and allowed the appeal in A.S.No.2515/01 filed by the claimant. The conclusion arrived at by the Hon'ble High Court is based on evidence record and does not call for any interference. Hence, he has viewed that it is not fit cases to prefer further appeals to Hon'ble Supreme Court of India. The Collector, Nalgonda has submitted decretal proposals for an amount of Rs.4,79,889/-(Rupees Four Lakhs Seventy Nine thousand Eight hundred and Eighty Nine only). Subsequently, to comply with orders of Hon'ble High Court, A.P., Hyderabad, dated 04.3.2009 in WPMP.No.5716/09 in WP.No.4357/09 in EP.No.36/07 filed by Smt.Moola ChandraKala, the District Collector, Nalgonda Dist has requested for release an amount of Rs.5,62,570/- towards decretal charges upto 28.02.2010.

2. The Special Chief Secretary to Government and CCLA., AP., Hyderabad, after scrutiny of the proposal along with the calculation sheet furnished by the Collector, Nalgonda District has requested the Government for sanction of an amount of Rs. 4,79,889/-towards payment of decretal charges in respect of the acquisition of said land.

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3. After careful examination, Government hereby accord sanction to the Commissioner of Social Welfare, AP, Hyderabad for release an amount of Rs. 4,79,889/- (Rupees Four lakhs seventy nine thousand eight hundred and eighty nine only) to the District Collector, Nalgonda District towards payment of decretal charges, as per the orders of the Hon'ble High Court dated 04.3.2009 in WPMP No,5716/2009 in WP No.4357/2009 in AS No.2515/2001 in O.P.No. 55/1997 in respect of the land acquired to an extent of Ac. 5.50 Cts bearing Sy. No. 656 at Vempaty village of Tungaturthy (M) of Nalgonda District, for providing of house sites to the weaker section's people.

4. The amount of expenditure sanctioned in para (3) above shall be met within the B.E. 2009-10 and debited to the following Head of Account:

“2225- Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes - 01- Welfare of Scheduled Castes – M.H.283 - Housing - G.H.11-Normal State Plan - SH(08) Acquisition of House sites to weaker sections in Indiramma Programme - 310/312 – other Grants-in-aid” .

5. The Commissioner of Social Welfare, A.P., Hyderabad, is directed to issue necessary proceedings to the District Collector, Nalgonda to comply with the Court orders.

6. The District Collector, Nalgonda shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

7. This order does not require the concurrence of Finance (Expr.SW) Department, as per their instructions issued vide U.O.Note No.12869/196/ A1/Esp.SW/2009, dated..22.05.2009 and U.O. No. 15926/256/A1/1/ Expr.SW/09, dated.17.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Social Welfare, A.P., Hyderabad.
The Special Chief Secretary to Government & Chief Commissioner of Land Administration,
AP, Hyderabad.
The District Collector, Nalgonda District..
Copy to:
The Director of Treasuries & Accounts, A.P. Hyderabad.
The Accountant General, A.P., Hyderabad
The District Treasury Officer, Nalgonda District.
Finance (Exp.SW/BG) Department. SF/SC

//FORWARDED :: BY ORDER//

SECTION OFFICER